

1 LAWRENCE G. BROWN  
2 Acting United States Attorney  
3 WILLIAM S. WONG  
4 Assistant U.S. Attorney  
5 501 I Street, Ste 10-100  
6 Sacramento, CA 95814  
7 Telephone (916) 554-2790

8  
9  
10  
11  
12  
13  
14  
15  
16

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ) CR. NO. S-02-189-WBS  
                            )  
Plaintiff,               )  
v.                        )  
ALEJANDRO MATHEW FRAGOSO, ) STIPULATION AND (PROPOSED) ORDER  
                            )  
Defendant.              )  
                           )  
\_\_\_\_\_ ) TO RESET BRIEFING SCHEDULE AND  
                           )  
                           )  
                           )  
                           )  
                           )  
                           )  
                           )

The United States of America, through its counsels of record, Lawrence G. Brown, Acting United States Attorney for the Eastern District of California, and William S. Wong, Assistant United States Attorney, and defendant Alejandro Matheu Fragoso, through his counsel, Jeffrey L. Staniels, Assistant Federal Defender, stipulate and agree to the following revised briefing schedule and hearing regarding the defendant's pending petition to vacate sentence pursuant to 28 U.S.C. § 2255 currently set for February 9, 2009, at 8:30 a.m.:

1. Government's response shall be filed no later than February 9, 2009;
2. Defendant's reply, if any, shall be filed no later than February 17, 2009; and

3. Hearing on the motion set for February 23, 2009,  
at 8:30 a.m.

Counsel for the government needs additional time to research and prepare its response. Accordingly, the parties stipulate to the revised law and motion schedule.

Respectfully submitted,

LAWRENCE G. BROWN  
Acting United States Attorney

DATED: January 27, 2009

By: /s/ William S. Wong  
WILLIAM S. WONG  
Assistant U.S. Attorney

DATED: January 27, 2009

By: /s/ Jeffrey L. Staniels  
JEFFREY L. STANIELS  
Attorney for Defendant

## ORDER

For the reasons set forth above, the revised law and motion schedule is adopted.

DATED: January 29, 2009

William B. Shubb  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE